

Arizona Revised Statutes

46-300.01. JOBS program; privatization; definitions

A. The department shall begin preparing a request for proposals for privatization throughout this state for case management and employment services necessary to operate the JOBS program. If the federal government:

1. Reauthorizes welfare reform legislation on or before July 1, 2004, the department shall issue a request for proposals by October 1, 2004 and at least once every five years thereafter. On January 1, 2005, the department may begin to contract with qualified providers. The department shall use reasonable efforts to begin to contract with qualified providers for case management and employment services necessary to operate the JOBS program by July 1, 2005.

2. Does not reauthorize welfare reform legislation on or before July 1, 2004, The department shall issue a request for proposals by October 1, 2005 and at least once every five years thereafter. On January 1, 2006, the department may begin to contract with qualified providers. The department shall use reasonable efforts to begin to contract with qualified providers for case management and employment services necessary to operate the JOBS program by July 1, 2006.

B. Providers eligible to compete for the JOBS program case management and employment service contracts include private, for profit businesses, nonprofit community organizations, community college districts and local and tribal government entities. Providers must demonstrate the ability to perform JOBS case management services, provide quality service and be responsive to the needs of the recipients. If sufficient reasons exist, the department may reject all providers who place bids pursuant to this section.

C. The JOBS program case management and employment services contracts shall be written for all areas of this state in which qualified providers are available. In establishing contracts for these services, the department may adopt a service model for a particular county or area of this state that uses either a single provider or multiple providers. If the federal government reauthorizes welfare reform legislation on or before July 1, 2004, the providers may begin operating the JOBS program in areas of this state by January 1, 2005, and shall operate the JOBS program in areas of this state by July 1, 2005. If the federal government does not reauthorize welfare reform legislation on or before July 1, 2004, the providers may begin operating the JOBS program in areas of this state by January 1, 2006, and shall operate the JOBS program in areas of this state by July 1, 2006. A provider may operate in more than one area of the state. The specific area in which the provider performs services shall be described in detail in the contract. The contract shall include provisions that make the contractor accountable for performance and may impose penalties for failure to perform the contract terms.

D. The department shall:

1. Make a determination whether qualified providers are available based on response to requests for proposals the department issues.

2. Establish the provisions of the JOBS program case management and employment services contracts.

3. Take immediate action, in the event of a provider failure, to directly administer services until an alternative provider can be secured.
 4. Continue to provide case management and employment services in an area when no qualified providers have submitted proposals to provide these services in the area. In areas where there are no providers or an insufficient number of providers, the department may continue to attempt to procure private contractors for the area.
 5. Hold all contracted providers of case management and employment services accountable to specified performance measures and results with payment for services based on performance.
- E. Department of economic security employees who are displaced by implementation of privatization of the JOBS program authorized by this section shall receive priority consideration for employment by the private provider or providers based on prior training and experience. Employment options for displaced employees shall be made available pursuant to title 41, chapter 4, article 5.
- F. Contracted payments for the JOBS case management services shall not exceed the total level of funding that is made available to the department to operate the JOBS program, including other related child care and support services, as a department program. The department shall retain sufficient funding to ensure the efficient operation of the program and compliance with the contract terms, state plans and all federal and state statutes and rules.
- G. After contracts are awarded pursuant to this section, the director may negotiate with any successful bidder for the expansion or contraction of services or service areas if there are unnecessary gaps or duplications in services or service areas.
- H. Procurement under this section is exempt from title 41, chapter 25, article 2.
- I. For the purposes of this section:
1. "Case management services" includes:
 - (a) Developing individual employability plans.
 - (b) Assigning work activities.
 - (c) Referring persons, as necessary, to appropriate contracted providers for employment, education, medical and counseling services.
 - (d) Child care eligibility determinations for families receiving cash assistance or transitioning off of cash assistance. Child care eligibility determinations does not include child care services pursuant to section 46-802, 46-805, 46-807, 46-808 or 46-809.
 2. "Department" means the department of economic security.
 3. "Employment services" includes:
 - (a) Providing job readiness training.
 - (b) Assisting clients with job location and placement activities for unsubsidized paid employment.
 - (c) Establishing and monitoring subsidized employment opportunities and placement for individuals unable to obtain unsubsidized employment.
 - (d) Establishing and monitoring unpaid work experience and community service opportunities and placement for those individuals needing this level of assistance to move to paid employment.
 - (e) Providing employment related support services.

4. "JOBS program" means the program administered by the department of economic security to implement the provisions of section 46-299.